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August 20, 2004

Date of Deposit

Theresa A. Michalek

Name

Theresa A. Michalek

Signature

SEP 01 2004

TECH CENTER 1000/2000

Case No. MBHB00-1150 (10112)

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Stelter et al.

Serial No: 10/054,514
Filed: 11/13/2001
For: ELECTROSTATIC IMAGE
DEVELOPING PROCESSES
AND COMPOSITIONS

Examiner: Chapman, Mark A
Group Art Unit: 1756

PETITION TO REVIVE UNDER 37 C.F.R. § 1.137(a) FOR UNAVOIDABLE DELAY

Sir:

REMARKS

Applicants hereby request that the captioned application be revived and issued.

The facts are as follows:

1. I received a "Notice of Allowance and Fee(s) Due" with a due date of April 13, 2004.
2. On April 13, 2004, a "Part B - Fee Transmittal" was mailed with a Certificate of Mail dated April 13, 2004, and signed by Debra M. Haag.

3. The "Part B - Fee Transmittal" was complete except there was no payment of the issue fee due to the following:

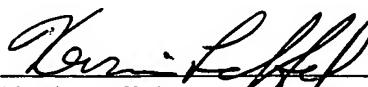
- 3.1. Under our established office procedure, a patent legal assistant completes the "Part B - Fee Transmittal".
- 3.2. The patent legal assistant is trained to indicate payment by deposit account and to provide a deposit account number on the form.
- 3.3. My practice is to review and sign the form before mailing it to the USPTO.
- 3.4. A patent legal assistant completed the form and gave it to me for my review and signature.
- 3.5. Payment by deposit account was not indicated and a deposit account number was not provided on the form.
- 3.6. I did not notice that the payment information was missing.

4. I received a "Notice of Abandonment" on August 19, 2004, due to failure to pay the issue fee with a notation that there was no deposit account number.

In light of the foregoing, I respectfully request revival of the application. Failure to provide the missing information was an oversight that occurred in spite of training and procedures. I did not know the application was abandoned until receipt of the "Notice of Abandonment".

A fee transmittal for this petition and a properly completed "Part B - Fee Transmittal" are submitted herewith.

Respectfully submitted,



Kevin Leffel
Registration No. 37,379
Attorney for Applicant

NEXPRESS DIGITAL LLC
2600 MANITOU ROAD
ROCHESTER, N.Y. 14624
(585) 512-8434



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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 110.00)

Complete if Known

Application Number	10/054,514
Filing Date	11-13-2001
First Named Inventor	Stelter
Examiner Name	CHAPMAN, MARK A.
Art Unit	1756
Attorney Docket No.	MBHB00-1150 (10112)

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number	05-0225
Deposit Account Name	EASTMAN KODAK COMPANY

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee			
1002 340	2002 170	Design filing fee			
1003 530	2003 265	Plant filing fee			
1004 770	2004 385	Reissue filing fee			
1005 160	2005 80	Provisional filing fee			
SUBTOTAL (1) (\$ 0					

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X =	=
			- 3** =	X =	=

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$ 0		

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	110
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 110

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Kevin L. Leffel	Registration No. (Attorney/Agent)	37,379	Telephone	585-512-8434
Signature		Date	August 20, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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